

5.0 COMMENTS AND COORDINATION

5.1 AGENCY COORDINATION

MDOT introduced the Augusta River Crossing Study to participating resource and regulatory agencies at the July 8, 1997 Interagency Meeting. The agencies represented include the Corps, DEP, EPA, FHWA, MDIFW, DMR, LURC, and the NMFS. The study area was described, purpose and need discussed and the proposed schedule for the EIS presented. Subsequent to project introduction, project updates were given monthly or bi-monthly at regular Interagency meetings, with the following milestones noted:

- November 18, 1997 - Preliminary Constraint Maps displayed and discussed.
- March 11, 1998 - “Basic Project Purpose” approved by the Regulatory Branch Chief, ACOE (presented in Chapter 1).
- May 11, 1999 - Field walk with agencies to review study area/wetland boundaries.

Minutes of the Interagency meetings are available upon request.

5.2 PUBLIC ADVISORY COMMITTEE - 25 Members

A Public Advisory Committee (PAC) consisting of City Councilors, the Mayor, local business owners and residents was formed in 1997 to work with MDOT officials to facilitate the project development process. A list of members is provided in Appendix D. The PAC met monthly from March 1997 until the release of the DEIS to review and discuss progress to date and make recommendations regarding study development. Minutes of these meetings are available upon request.

On May 3, 1999, the PAC unanimously voted to endorse Alternative B as their preferred alternative with a connector [to Route 17] to be an integral part of the project.

5.3 PUBLIC MEETINGS

Seven public meetings were held during the development of this study, including the official NEPA public hearing held subsequent to the release of the DEIS. These meetings were attended by **approximately 550 people**, and provided invaluable guidance that was critical to the development of this FEIS.

5.3.1 Informational and Scoping Meeting - July 17, 1997

An informational and scoping meeting was held to introduce the Public Advisory Committee and MDOT Project Team to the general public. A project history was provided, including dis-

cussions of funding and the NEPA process, and the meeting was open for public comment. Approximately **88 people** were in attendance. Many local businesses were represented and there was virtually unanimous support expressed for a third bridge. A transcript is available upon request.

5.3.2 Informational Public Meeting - December 15, 1997

An informational meeting to present the project Purpose and Need Statement and introduce preliminary study corridors was held on December 15, 1997. Five potential corridors, A-E, were introduced and public comment welcomed. Approximately **76 people** attended. A transcript is available upon request.

5.3.3 Initial Neighborhood Meetings - June 3 and 4, 1998

Neighborhood meetings were held at two local elementary schools to get feedback from the public on the refined corridor locations. Large maps highlighting each corridor were displayed, with representatives from the MDOT Project Team stationed at each map. People were invited to study each corridor and ask questions. City Officials, legislative representatives, and members of the PAC were also available to provide information as needed. Approximately **92 people** attended the Hussey School meeting and **85 people** attended the Gilbert School meeting.

5.3.4 Supplemental Neighborhood Meetings - February 24 and 25, 1999

Supplemental meetings were held at the same two elementary schools to invite public comment on the alternatives retained for further study. Preliminary alignment footprints were shown, with properties proposed for displacement highlighted. Once again, representatives from the MDOT Project Team, the City and the PAC were on hand to answer questions. Approximately **34 people** attended the Hussey School meeting and **25 people** attended the Gilbert School meeting.

5.3.5 Public Hearing - September 1, 1999

Pursuant to NEPA, a public hearing was held following the release of the DEIS. The hearing was held at the Augusta Armory on September 1, 1999, with approximately **150 people** in attendance. **All of the 22 people who testified spoke in favor of a third bridge.** Many who testified spoke on behalf of larger public and private organizations. Thirteen favored Alternative B, one favored Corridor E, and the remainder did not express a preferred option. Eight people testified in support of a connector between Routes 202/3 and 17. One resident expressed concerns regarding the negative impacts on his property and another was concerned about the impact on snowmobile trails. Several people identified the need to address the 80,000 pound weight limit for trucks on I-95.

Written comments on the DEIS were also received. These are summarized and grouped by subject in Table 5-1. A statement or reference regarding how the comments have been addressed is provided. Copies of written comments submitted are in Appendix E.

Table 5-1. Summary of Written Comments on the Draft Environmental Impact Statement

Comment	Source	Response	Section
Need to specifically identify basic project purpose and clarify scope	ACOE, EPA, NMFS, DOI	Chapter 1 revised to clarify basic project purpose	1.2
Memorial Bridge Study	ACOE, NMFS	Chapter 1 revised to provide more information regarding Memorial Bridge Study	2.3.1
Failure to identify Section 10 of the Rivers and Harbors Act	ACOE	Reference added	1.6
How to appropriately address the TDM/TSM and the Connectors	ACOE, EPA	Sections amended	2.3.3 & 2.3.4
Compatibility with Section 404(b)(1) Guidelines	ACOE	Appropriate language incorporated	2.4.1 & 2.5
Fisher Brook not labeled	NMFS, DOI	Fisher and Riggs Brooks labeled on Alternative maps	Figures 2-7 to 2-9
Delete statement in Section 3.2.4 regarding cover types	DOI	Statement deleted	
Riffles and pools should be discussed in a separate section	ACOE	Discussion of riffles and pools added to Chapters 3 and 4	3.2.6
Inaccurate wetland methodologies and approaches	ACOE	Section amended to clarify methodology used to delineate wetlands	3.2.7 and 4.2.4
"Prior Converted Cropland" should be removed from wetland totals	ACOE, DOI	No prior converted croplands were identified along the preferred alternative, so the reference to this was deleted.	3.2.7

Table 5.1 Continued next page

Table 5-1 continued

Comment	Source	Response	Section
Tidal influence after dam removal should be noted	ACOE, NMFS, DOI	Section amended to include requested information	3.2.8
Essential Fish Habitat Assessment for salmon and sturgeon needed	NMFS, DOI	Additional information added	4.2.4 and 4.2.7
U.S. Coast Guard jurisdiction limits	ACOE, DOI	Appropriate information added.	3.2.11
Wetland mitigation information should be enhanced	ACOE	Section amended to include most up-to-date information available and moved to 4.2.5.	4.2.5
Will mechanized land clearing occur outside of the right-of-way, and if so, how much?	ACOE	No mechanized land clearing will occur outside of the right-of-way.	4.2.5
The final biological opinion of NMFS should be obtained before FEIS is issued.	ACOE	NMFS has deferred endorsing any alternative until concerns are addressed in the FEIS	4.2.7
Clarification regarding impacts to Savage Park	DOI	Clarification provided	4.4.6
Secondary Development impacts not adequately addressed	ACOE, EPA	Quantitative information on zoning and land use impacts added	4.4 & 4.5
Value Engineering Study required	USDOT	Statement added to Project Commitment section	4.6
Alternative B endorsed	Augusta City Council, Augusta Planning Board, River Crossing PAC, Augusta Area Chamber of Commerce, other citizens and businesses	Alternative B is identified as the Preferred Alternative	2.6.4
Concern of impacts from light pollution from new bridge	Pam Shofner (citizen)	No fixed lighting planned for bridge	

Literature Cited

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List of Preparers

The following is a list of key personnel responsible for the preparation of this EIS.

Federal Highway Administration

James F. Linker, *Procedural Guidance / Document Review*

Kenneth Todd, *Document Review*

Maine Department of Transportation

Raymond E. Faucher, PE, *Project Manager*

Duane A. Scott, *Environmental Team Leader*

Richard Bostwick, *Natural Resources Report*

Todd Pelletier, *Highway Design Engineer*

Ed Hanscom, *Transportation Planning Engineer*

Scott Avore, *Right of Way Coordination*

Deane Van Dusen, *Visual Impact Assessment*

Dale Doughty, *Groundwater Resources / Uncontrolled Petroleum
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Judy Lindsey-Foster, *Community Characteristics*

Lisa Dickson, *Historic and Archaeological Data / Parks and Recreation Lands*

Gerard Therrien, *Wetland Identification*

Andy Cobb, *Wetland Identification*

Robert Van Riper, *Invertebrates*

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Consultants

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Joyce Noel, *Water Resource Evaluation of Alternatives*

Gannett Fleming, *Air and Noise Technical Memoranda*

Appendix A

Correspondence with USCG

U.S. Department
of Transportation

United States
Coast Guard



Commander
First Coast Guard District

Battery Park Building
New York, NY 10004-5073
Staff Symbol: obr
Phone: (212) 668-7165
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16591/KENNEBEC RIV/ME

September 1, 1999

Mr. Raymond E. Faucher, P.E.
Project Manager
Maine Dept. of Transportation
State House Station 16
Augusta, ME 04333-0016

Dear Mr. Faucher:

This responds to your letter of 17 August 1999 which forwarded the Draft Environmental Impact Statement for the Augusta River Crossing Study. We have reviewed the document and find it satisfactory in meeting concerns of our office program.

A Coast Guard bridge permit would be required for any new crossing of the Kennebec River as well as for widening performed on any existing bridge. As soon as a preferred alternative is selected, we will investigate crossings of smaller streams to determine office involvement, if any.

If you have questions regarding our bridge permit program as pertains to your crossing study, please contact Ernie Feemster, project manager, at the number above.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Kassof".

Gary Kassof
Bridge Administrator
First Coast Guard District
By direction of the District Commander

Copy: FHWA, Maine Div.

Appendix B

Community Resources Within the Study Area

Community Resources Within the Study Area

(Vollmer 1994)

Schools

Sylvio J. Gilbert School
Cony High School
Farrington Elementary School
Lillian Park Hussey School
Ellar Hodgkins School
Capitol Area Regional Vocational Center
University of Maine at Augusta
Buker School
Lincoln School
Cony Mountain School

Medical Facilities (Hospital, Nursing Homes, Medical Centers)

Williams Health Care Facility
Kennebec Valley Medical Center
Augusta Convalescent Center
Augusta Mental Health Institute
Maine Veteran's Nursing Home
Nursing Home
Chateau Cushnoc Elderly Housing

Parks/Recreational Facilities

Youth Memorial Park
Calumet Field
McGee's Field
Calumet Playground
Macomber Playground/Brennan Field
Cunningham Park
Blaine Memorial Park
Augusta Waterfront Park
Gage Street Playground
East Side Complex
Vocational Complex
Capitol Park
Pine Tree State Arboretum
Augusta Nature Center
East Side Boat Launch
Mount Vernon Park
University of Maine Recreation Center
Gilbert School Playground
Memorial Park

Churches

Gospel Hall
St. Augustine's Church & School
South Parish Congregational Church
St. Mark's Episcopal Church
Green Street United Methodist Church
Winthrop Street Universalist Church
Kennebec Mennonite Church
All Souls Unitarian Universalist Church
Temple Bath El
St. Mary's Church & School
Penny Memorial United Baptist Church
Kingdom Hall of Jehovah's Witnesses
The Church of Christ
Prince of Peace Lutheran Church
Fellowship Baptist Church
Cushnoc Baptist Church
St. Barnabas Episcopal Church
St. Andrew's Catholic Church
First Church of Christ Scientist

Libraries

Lithgow Library

Cemeteries

Cony Cemetery
Riverside & Williams Cemeteries
Townsend Cemetery
Cummings Cemetery
Kling Cemetery
Brackett Cemetery
Wall Cemetery
Maine Veteran's Memorial Cemetery
3 Cemeteries with unknown name

Police/Administrative

Hospital Street Fire Station
Wells Fire Station
Hartford Fire Station
Western Avenue Fire Station
Northern Avenue Fire Station
Augusta Municipal Police Station
Maine State Police Headquarters
Kennebec County Jail
City Government Center
Augusta Sanitary District
Augusta Water District


Appendix C

Correspondence with MHPC

MEMORANDUM

March 6, 2000

To: Mr. Duane Scott, OES/Maine Department of Transportation

From: Earle G. Shettleworth, Jr., State Historic Preservation Officer 

Subject: PIN 556.11 - Augusta River Crossing & 4(f), Augusta
MHPC # 375

In response to your recent request, I have reviewed the information received February 23, 2000 on the referenced project. Per your request, I will respond to your question regarding the subject archaeological site and Section 4 (f) of the Department of Transportation Act of 1966.

Under the revised Section 106 regulations, data recovery from all eligible or listed archaeological sites is considered an adverse effect. In *specific* circumstances, our office may deem that an individual property may be significant and of value chiefly for the information it is likely to yield, that it is not likely to contain human remains & associated/unassociated funerary items, it does not have long-term preservation value, it does not possess special significance to any group, is not valuable for potential permanent in-situ display, and that an approved data recovery plan be prepared and followed. When all these circumstances apply, our office would recommend that the Advisory Council on Historic Preservation's sample *Memorandum of Agreement [MOA] for Recovery of Significant Information* can be utilized. In this particular case, our office feels this sample MOA applies (copy attached). Therefore, our office concurs that FHWA's 4(f) provisions do not apply to the archaeological property in question.

Please contact Dana Vaillancourt or Art Spiess of my staff if you require further assistance in this matter.

EGS/drv

MAR - 8 2000

STATE OF MAINE
Inter-Departmental Memorandum

Date : February 23, 2000

To: Earle Shettleworth, Jr.

Dept.: MHPC

From: Duane A. Scott

Dept.: MeDOT/OES

Subject: Section 4(f), Department of Transportation Act of 1966.

MeDOT PIN: 556.11 Location: Augusta

Scope: Augusta River Crossing .

The project consists of a new crossing of the Kennebec River with associated new roadways to connect from Interstate 95 to Route 3. The 4(f) issue at hand deals with artifacts which are located beneath a bark mulch pile along the east bank of the Kennebec River in the vicinity of the proposed new bridge.

Pursuant to our meeting with Art Speiss and Lee Cranmer of your staff, please review and comment on this project in the context of Section 4(f) of the Department of Transportation Act of 1966. According to the 4(f) regulations " Section 4(f) does not apply to archaeological sites where the administration, after consultation with the SHPO, determines that the archaeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place".

Please respond back to us whether or not you agree that the archaeological resource in question is important chiefly for what can be learned by data recovery.

If you need any additional information or have any questions please call me or Scott Rollins at 287-5735. Thank you.

cc: Art Spies, MHPC
MeDOT Project Manager: Ray Faucher/Todd Pelletier
OES Project File

Model Memorandum of Agreement

(See Attached Form)

**MEMORANDUM OF AGREEMENT FOR
RECOVERY OF SIGNIFICANT
INFORMATION**

FROM ARCHAEOLOGICAL SITE(S) _____
(list) _____

UNDERTAKING: _____

STATE: _____

AGENCY: _____

Whereas, in accordance with 36 CFR Part 800, the [Federal Agency] acknowledges and accepts the advice and conditions outlined in the Council's "Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites," published in the Federal Register on [date of publication]; and

Whereas, the consulting parties agree that recovery of significant information from the archaeological site(s) listed above may be done in accordance with the published guidance; and

Whereas, the consulting parties agree that it is in the public interest to expand funds to implement this project through the recovery of significant information from archaeological sites to mitigate the adverse effects of the project; and

Whereas, the consulting parties agree that Indian Tribes or Native Hawaiian organizations that may attach religious or cultural importance to the affected property(ies) have been consulted and have raised no objection to the work proposed; and

Whereas, to the best of our knowledge and belief, no human remains, associated or unassociated funerary objects or sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001), are expected to be encountered in the archaeological work;

Now, therefore, the [Federal Agency] shall ensure that the following terms and conditions, including the appended Archaeological Data Recovery Plan, will be implemented in a timely manner and with adequate resources in compliance with the National Historic Preservation Act of 1966 (16 U.S.C. 470).

OTHER TERMS AND CONDITIONS:

- Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement.

• Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the signatories may request the participation of the Council to assist in resolving the dispute.

• This agreement shall be null and void if its terms are not carried out within 5 (five) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

Agency Official: _____

date: _____

State Historic Preservation Officer: _____

date: _____

Tribal Historic Preservation Officer: Official: _____

date: _____

Other Public or Private Entity: _____

date: _____

(as applicable)

[Attach Archaeological Data Recovery Plan here]

[End of Form]

Dated: May 7, 1999.

John M. Fowler,

Executive Director.

[FR Doc. 99-12055 Filed 5-17-99; 8:45 am]

BILLING CODE 4310-10-M

Appendix D

Public Advisory Committee Members

Appendix D.

Public Advisory Committee Members Augusta River Crossing Study

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Roger Pomerleau RFD 5, Box 270 Augusta, ME 04330	Richard O'Connor O'Connor GMC Riverside Drive Augusta, ME 04330	Charles "Wick" Johnson Kennebec Tool & Die RR 10, Box 1200, Church Hill Road Augusta, ME 04330	Councilor Ronald Bourget 41 State Street Augusta, ME 04330
Former Mayor John Bridge 10 Viles Street Augusta, ME 04330	Thomas Sotir Kennebec Valley Medical Center 6 East Chestnut Street Augusta, ME 04330	Roger Mallar 14 Cherry Street Farmingdale, ME 04344	Joel Pooler 9 Western Avenue Augusta, ME 04330
Charles Canning, Jr. Pine State Trading Company 8 Ellis Avenue Augusta, ME 04330	J. William Sprague, Jr. Sprague & Curtis 75 Western Avenue Augusta, ME 04330	Chris Pooler 9 Western Avenue Augusta, ME 04330	H. Allan Ryan Northcenter Foodservice PO Box 2628 Augusta, ME 04338-2628
C. Wayne Mitchell / Jean Belma Augusta Board of Trade P.O. Box 5542 Augusta, ME 04332-5542		MDOT Representatives: Raymond Faucher, Project Manager Duane Scott, Environmental Team Leader	

Appendix E

Written Comments on DEIS